



**EQUALITY COMMISSION FOR NORTHERN IRELAND**

**Response to the: Draft NI Disability Strategy**

Consultation Closing Date: 20 March 2026

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## Executive Summary

The Commission welcomes the publication of the draft Disability Strategy<sup>1</sup>, viewing it as a necessary step towards ensuring deaf and disabled people in Northern Ireland can fully realise their rights under the United Nations Convention on the Rights of Persons with Disabilities.

We acknowledge that the Strategy is rooted in the Convention's framework and welcome reference to the relevance of specific UNCRPD articles throughout the strategy.<sup>2</sup> We consider this will support greater awareness and implementation of these rights. The Commission also welcomes that the Department sets the strategy in the context of the Social Model of disability.<sup>3</sup>

In particular, we welcome the commitments, in principle, in the Strategy to address three longstanding Commission policy **recommendations**:

- Review and update existing Disability Legislation in Northern Ireland, including providing a more effective legal remedy for disability discrimination in education;
- The establishment of a Regional Disability Forum to advise on the monitoring and implementation of the Disability Strategy; and to ensure that all new policies are designed with the involvement of Deaf and disabled people, including children and young people;
- Improvement of the collection and availability of high-quality, reliable and inclusive disability data.

The Commission also welcomes the commitment to ensure that Deaf and disabled people do not lose any rights as a result of Brexit and to engage with the Dedicated Mechanism to ensure that in relation to matters within the legislative competence of the Assembly, safeguards or equality of opportunity will not be lost for Deaf and disabled people.

In addition, we welcome the commitment to review the needs of disabled women and girls who face additional risk of violence and barriers to accessing services but recommend that the needs of disabled men who are subject to violence are also considered in the review.

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<sup>1</sup> Department for Communities (2025): [The Northern Ireland Strategy 2025-2035](#)

<sup>2</sup> Ibid, pp. 6-7.

<sup>3</sup> Op cit (2025), p. 6.

We acknowledge that an easy read version of the Strategy has been made available and that other alternative formats are available on request.

However, whilst noting that an Action Plan will be developed to accompany the Strategy, the lack of detail, specific actions and measures, information on targets, timelines and progress milestones make it difficult to assess the potential impact of the Strategy.

We acknowledge that advice and guidance from disability sector stakeholders, the Commission and other stakeholders participating in this process has contributed to the design of the Strategy. However, we also emphasise that that stakeholders must also be involved in the development, prioritisation, implementation, monitoring and evaluation of actions to realise the commitments set out in the Strategy.

The Commission notes that the Strategy includes a number of previous commitments or responsibilities, in place for significant periods of time. While their inclusion is welcome, they cannot be considered as additional actions.

These include, for example:

- the continuation of the Blue Badge Scheme;
- continuing to support the Inclusive Mobility Transport Advisory Committee and the Hate Crime Advisory Service;
- compliance with the Public Bodies Accessibility Regulations;
- ensuring that departmental information and communications are available in accessible format;
- monitoring the autism strategy.

There are also a series of other commitments which, while welcome in principle, lack sufficient detail as to associated actions and next steps.

For example, a commitment:

- to promote the participation of Deaf and disabled people in public life isn't accompanied by specific % improvement targets;
- to taking steps to place Deaf and disabled people who are currently institutionalised at the heart of all decision making about

their future. This lacks even an outline of actions indicating how this might be achieved;

- to support deaf and disabled people to negotiate life transitions. This lacks details as to how this ambition will be realised;
- to support and promote accessibility in heritage, culture and creative programmes. This lacks any further detail, even by way of example.

The Strategy does not reference any budget to assist implementation.<sup>4</sup> The Disability Strategy Expert Advisory Panel's report advised: 'Effective implementation of a Disability Strategy requires the allocation of adequate human and financial resources. This requires an alignment of current resources with expected outcomes and the allocation of additional strategy specific resources, as required'. The Panel warned that: 'If no additional resources are allocated to the Disability Strategy this will make achievement of its objectives hugely challenging and restrict the extent to which this can be meaningful'.<sup>5</sup>

Given the current financial context, it is not clear how the Disability Strategy will be funded. Nevertheless, it is important to ensure funding and resources are allocated to allow for effective delivery of the Strategy. Currently, it is unclear to what extent the Strategy as drafted can be delivered, and whether the proposed timeline is likely to be met.

The final Strategy should set out further information on costings and how actions will be prioritised, in the context that it is unlikely there will be available funding for all of the proposals. When prioritising actions, Departments should take account of the needs of particular equality groups, and where there are resources constraints, low and no cost actions should be considered.

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<sup>4</sup> Professor Eilionóir Flynn, the author of *From Rhetoric to Action – Implementing the UN Convention on the Rights of Persons with Disabilities* (2012), a global comparative study of implementation and monitoring mechanisms for national disability strategies, notes that failure to cost national disability strategies has been identified as a major barrier to successful implementation (p. 235).

Professor Flynn was a member of the DfC appointed Disability Strategy Expert Advisory Panel.

<sup>5</sup> Department for Communities (2020): [Report of the Disability Strategy Expert Advisory Panel](#), p. 22.

## Introduction

The Equality Commission for Northern Ireland ('the Commission') is an independent public body established under the Northern Ireland Act 1998. Its remit is set out in Annex 2.

The Commission was a member of the Disability Strategy co-design group established by Department for Communities to advise on the strategy.

The Commission notes that the Disability Strategy will be progressed within the context of a number of wider Strategies and Departmental actions. The Commission has responded substantively to recent relevant consultations including: the Disability and Work Strategy; the cessation of the Employment Support Scheme; the Good Jobs Bill; and the Pathways to Work Green Paper<sup>6</sup>.

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<sup>6</sup> The Equality Commission's consultation responses can be found at: [ECNI - Consultation responses](#)

## Background

In 2015 the United Nations Committee that has oversight of the Convention on the Rights of Persons with Disabilities (UNCRC) carried out an inquiry. This inquiry was under Article 6 of the Optional Protocol to the Convention and examined the cumulative impact of legislation, policies and measures adopted by the United Kingdom on social security schemes and on work and employment, from 2010 to 2016.

The focus of the Inquiry considered whether the enjoyment by persons with disabilities of their rights to live independently and to be included in the community (art. 19 of UNCRC), to an adequate standard of living and social protection (art. 28) and to work and employment (art. 27) had been violated.

The Committee concluded, in its 2016 Inquiry report that there was reliable evidence that the threshold of grave or systematic violations of the rights of persons with disabilities has been met in the UK.

In 2017, the Committee considered the initial report of the United Kingdom of Great Britain and Northern Ireland, commenting in detail on all the rights set out in the Convention.<sup>7</sup> A summary of the Committee's key concerns is set out in Annex 1.

In 2024, the UNCRC Committee reported on a follow up<sup>8</sup> to its UK Inquiry report<sup>9</sup>, to consider what steps had been taken by the UK Government and NI Executive to implement its recommendations.

In its report the Committee expressed concern that 'there has been no significant progress for disabled people throughout the UK concerning the situation of persons with disabilities addressed in the inquiry proceedings'<sup>10</sup> and reiterated its 2017 recommendations.

Following the UK's exit from the EU, the UK Government has committed under Windsor Framework Article 2 to ensure that certain equality and

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<sup>7</sup> UNCRC Committee (2017): [Concluding observations on the initial report of the United Kingdom of Great Britain and Northern Ireland](#)

<sup>8</sup> UNCRC Committee (2024): [Report on follow-up to the inquiry concerning the United Kingdom of Great Britain and Northern Ireland. - Report of the Committee](#)

<sup>9</sup> UNCRC Committee (2016): [Inquiry concerning the United Kingdom of Great Britain and Northern Ireland carried out by the Committee under article 6 of the Optional Protocol to the Convention – Report of the Committee](#)

<sup>10</sup> UNCRC Committee (2024): [Report on follow-up to the inquiry concerning the United Kingdom of Great Britain and Northern Ireland. - Report of the Committee](#), paragraph 88, p. 13.

human rights protections in Northern Ireland will continue to be upheld after Brexit. This obligation came into effect on 1 January 2021 and includes those equality and rights protections enjoyed by Deaf and disabled people.<sup>11 12</sup>

## Vision

The Disability Strategy's vision is for: "An inclusive society that respects, protects, promotes and fulfils the rights of all Deaf and disabled people to participate fully, free from discrimination."

The Commission **recommends** that the vision is amended to read: "An inclusive society that respects, protects, promotes and fulfils the rights of all Deaf and disabled people to enjoy all the applicable rights set out in the United Nations Convention on the Rights of Persons with Disabilities".

This would clarify that the ambition of the strategy is to strive towards the realisation of all the relevant rights set out in the UNCRPD, not just those concerned with participation and non-discrimination. This would better align the strategy with the intent of the UNCRPD and the State's commitments.

## Resourcing the Disability Strategy

As noted above, the draft strategy has no dedicated budget to assist implementation. Professor Ron McCallum<sup>13</sup>, former Chair of the UN Committee on the Rights of Persons with Disabilities, in his foreword to the global comparative study of implementation and monitoring mechanisms for national disability strategies referenced below, observes that "...a successful national disability strategy must harness both appropriate legislative measures and sufficient funding to enable the plan to be implemented. In my view, no matter how well-intentioned policy makers may be, without adequate funding such programmes will remain aspirational"<sup>14</sup>.

The Disability Strategy Expert Advisory Panel's report advised that 'Effective implementation of a Disability Strategy requires the allocation

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<sup>11</sup> See Windsor Framework Articles 2 and 13.

<sup>12</sup> Directive 2000/78/EC, 'Council Directive establishing a general framework for equal treatment in employment and occupation'

<sup>13</sup> [Emeritus Professor Ron McCallum AO - Alumni](#)

<sup>14</sup> Flynn, E.(2011): Op Cit., pp. xvii and xviii.

of adequate human and financial resources. This requires an alignment of current resources with expected outcomes and the allocation of additional strategy specific resources, as required'. The Panel warned that 'If no additional resources are allocated to the Disability Strategy this will make achievement of its objectives hugely challenging and restrict the extent to which this can be meaningful'.<sup>15</sup>

## Outcomes and performance Indicators

Comments on the eight proposed outcomes of the draft Disability Strategy, associated commitments and indicators are set out below.

### Outcome 1: Deaf and disabled people effectively exercise their rights and fundamental freedoms and participate in society on an equal basis, free from discrimination.

The Equality Commission welcomes the proposed outcome that Deaf and disabled people can effectively exercise their rights and fundamental freedoms and participate in society on an equal basis, free from discrimination, given its alignment with the UNCRPD.

### Commitments

The Commission welcomes the Department's commitment (1) to establish a Regional Disability Forum to advise on the monitoring and implementation of the Strategy. This is consistent, in principle, with obligations set out in UNCRPD Articles 4(3)<sup>16</sup> and 33(3)<sup>17</sup> and the recommendations of the UN CRPD Committee General Comment No.7.<sup>18</sup>

As part of the IMNI, the Commission has **recommended** that the DfC establish a Regional Disability Forum for Northern Ireland. This Forum should include people with a range of disabilities to advise NI Executive Departments on policy matters. This will ensure the voice and experiences of disabled people are heard and considered as part of the

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<sup>15</sup> Department for Communities (2020): [Report of the Disability Strategy Expert Advisory Panel](#), p. 22.

<sup>16</sup> [Article 4](#), (3): States Parties shall closely consult with and actively involve persons with disabilities in the development and implementation of policies and in other decision-making processes concerning issues relating to them.

<sup>17</sup> [Article 33](#) (3): Civil society, in particular persons with disabilities and their representative organizations, shall be involved and participate fully in the monitoring process.

<sup>18</sup> UN Committee on the Rights of Persons with Disabilities (2018): [General Comment No.7](#).

decision-making process.<sup>19</sup>The commitment by the NI Executive, in the Draft Programme for Government 2016, to involve disabled people in a “central regional disability forum”,<sup>20</sup> has hitherto never been realised.

The Disability Strategy Expert Advisory Panel noted that: *‘The absence of a NI wide governance framework involving disabled people and their organisations and their limited access to key decision-making structures...has been a persistent challenge in the development of policies and legislative measures that affect disabled people’.*<sup>21</sup>

The UN Committee on the Rights of Persons with Disabilities’ General Comment No.7 distinguishes between Disabled People’s Organisations, which can only be those that are led, directed and governed by persons with disabilities with a clear majority of their membership recruited among persons with disabilities themselves; and organisations “for” persons with disabilities, which provide services and/or advocate on behalf of persons with disabilities.

The General Comment emphasises that States parties should give priority to the views of organizations of persons with disabilities when addressing issues related to persons with disabilities.<sup>22</sup>

The Commission **recommends** that the UNCRPD Committee’s emphasis on giving priority to the views of DPOs should be reflected in the Department’s approach to membership of the Regional Forum, as they can identify and address real-world barriers that others may not see and help to dismantle disabling attitudes ensuring that the approaches are effective, practical, and person-centred.

The Commission **recommends** that the Department regularly reviews disabled people’s participation in co-production, delivery and monitoring mechanisms.

The Commission **recommends** that consideration is given by the Department to inclusion of IMNI<sup>23</sup> within the structural arrangements for oversight of the Strategy.

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<sup>19</sup> IMNI (2023) [Jurisdictional Submission on the Implementation of UNCRPD Rights in NI](#), p22.

<sup>20</sup> Department for Communities (2016): Programme for Government, Delivery Plan Indicator 42: Average life satisfaction score of people with disabilities.

<sup>21</sup> Disability Strategy Expert Advisory Panel (2020): [Report and Recommendations](#), p.16

<sup>22</sup> The [General Comment](#) recommends that states parties should develop frameworks to request civil society organizations and other stakeholders to consult and involve organizations of persons with disabilities in their work related to the rights. (paragraph 14, p. 4).

<sup>23</sup> In 2009 the United Kingdom of Great Britain and Northern Ireland Government designated the Equality and Human Rights Commission (EHRC), the Equality Commission for Northern Ireland

The Commission welcomes the commitment (2) to ensure that all new policies are designed with the involvement of Deaf and disabled people. However, it would be helpful if the final strategy provides more detail as to how this commitment will be realised. For example, does this refer to the relevant Department with its existing equality scheme commitments, the Regional Disability Forum or to other supplementary measures or to some combination of the aforementioned?

We **recommend** that the Department outlines further detail of how this commitment will be taken forward.

The Commission also welcomes the Department's commitment (3) to improve the collection and increase availability of high-quality, reliable and inclusive disability data and to regularly publish a Disability Data Compendium.

High quality equality data on disability is key for evidence-based policy development and service planning.

Equality Commission officers are happy to provide further advice to DfC and other Department officials concerned with the collection of equality data, particularly given Equality Scheme commitments for monitoring the impacts of their policies.

The Commission acknowledges the commitment (4) to gather information on the level of disability-related public expenditure across all Executive departments. However, as pointed out above, we note that there is no additional budget identified for implementation of the strategy. The compilation of disability-related public expenditure is therefore likely to highlight existing, rather than additional, expenditure.

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(ECNI), the Northern Ireland Human Rights Commission (NIHRC) and the Scottish Human Rights Commission (SHRC) as UKIM under Article 33 of the United Nations Convention on the Right of Persons with Disabilities (CRPD).

The United Kingdom Independent Mechanism (UKIM) is mandated with promoting, protecting and monitoring the implementation of the CRPD by the United Kingdom of Great Britain and Northern Ireland government.

The Equality Commission for Northern Ireland and the Human Rights Commission comprise the Independent Mechanism for Northern Ireland (IMNI) tasked with promoting, protecting, and monitoring the implementation of the CRPD in Northern Ireland.

For further information see: [United Kingdom of Great Britain and Northern Ireland – IMM situation | OHCHR](#)

The Commission welcomes the commitment (5) to review and update existing Disability Legislation in Northern Ireland, to include how the UNCRPD can best be incorporated into local legislation.

The Commission's **recommendations** for legal reform were endorsed by the UN Committee on the Rights of Persons with Disabilities in 2017.<sup>24</sup>

The Commission notes that the NI Court of Appeal has recognised that the UN CRPD was an integral part of the EU legal order prior to UK withdrawal and is relevant to Windsor Framework Article 2. The Court of Appeal confirmed that the NI Assembly was prohibited from legislating contrary to the UN CRPD as EU law where matters fell within the competence of the EU.<sup>25</sup> As such, the UN CRPD is therefore part of NI domestic law to the extent that it was within EU competence prior to the UK leaving the EU and is relevant for the interpretation of the Windsor Framework Annex 1 equality directives and the EU law underpinning rights within the scope of Windsor Framework Article 2.<sup>26</sup> The UN CRPD is relevant to the interpretation of the Annex 1 Equality Directives and any additional underpinning EU obligations of the rights, safeguards and equality of opportunity listed in the relevant part of the Belfast (Good) Friday Agreement 1998.

Commission officers will be happy to assist Departmental officials to highlight the need for legislative reform and in the development of legislative proposals.

The Commission welcomes the Department's commitment (6) to ensure the rights of sign language users are protected. We acknowledge the introduction of a Sign Language Bill to the Assembly as a significant step

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<sup>24</sup> UN Committee on the Rights of Persons with Disabilities (2017): [Concluding observations on the initial report of the United Kingdom of Great Britain and Northern Ireland](#). See recommendation 17 (b), p. 4: 'Take the necessary measures through the appropriate authorities to ensure that the Northern Ireland Executive reform on disability rights law reflects the recommendations made by Equality Commission for Northern Ireland in its 2012 Strengthening Protection for Disabled People report, to protect persons with disabilities in Northern Ireland from direct and indirect disability-based discrimination and discrimination through association'.

<sup>25</sup> *SPUC Pro-Life Ltd v Secretary of State for NI [2023] NICA 35*, paras 57 and 68.

<sup>26</sup> Equality Commission for NI and NI Human Rights Commission (2022): [Working Paper: The Scope of Article 2\(1\) of the Ireland/ Northern Ireland Protocol](#) (ECNI and NIHRC). See also Craig, S., Deb, A., Frantziou, E., Horne, A., Murray, C., Rice, C., and Rooney, J. (2022): [European Union developments in Equality and Human Rights: The Impact of Brexit on the divergence of rights and best practice on the island of Ireland](#) (ECNI, NIHRC and IHREC); and Equality Commission for NI, NI Human Rights Commission and Irish Human Rights and Equality Commission (2023): [Policy Recommendations: European Union developments in Equality and Human Rights: The Impact of Brexit on the divergence of rights and best practice on the island of Ireland](#) (ECNI, NIHRC and IHREC).

toward recognising and supporting British Sign Language (BSL) and Irish Sign Language (ISL) users in Northern Ireland.

In 2025, the Commission provided evidence on the Bill to the Communities Committee.<sup>27</sup>

The Commission welcomes the Department's commitment (6) to refresh the 2016 draft Sign Language Framework.

We **recommend** that the final Framework should include:

- the explicit identification of governance and delivery mechanisms to enable a joined-up approach to implementation across Departments in order to give effect to commitments given in other relevant strategies.
- the allocation by the Northern Ireland Executive of adequate resources to enable the effective implementation of the Framework;
- consideration by the Executive to include the implementation of the Framework as measure for an appropriate indicator in the Programme for Government;
- consideration by the DfC to adopt a proactive approach by public authorities to engagement with stakeholders, including Deaf people, in drawing up BSL/ISL Plans in Northern Ireland.

The Commission welcomes the commitment (7) under outcome 1 for the promotion of disability awareness. This is an important step towards realising the rights set out in Article 8 of the UNCRPD.

The UN Committee on the Rights of Persons with Disabilities has expressed concern about the persistently occurring incidents of negative attitudes, stereotypes and prejudice against persons with disabilities. In particular, concern about persons with intellectual and/or psychosocial disabilities and persons with neurological and cognitive conditions such as dementia and Alzheimer, as well as concerning their social protection entitlements<sup>28</sup>

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<sup>27</sup> Equality Commission for Northern Ireland (2025): [Response to the Committee for Communities Sign Language Bill - Call for Evidence](#)

<sup>28</sup> UN Committee on the Rights of Persons with Disabilities (2017): [Concluding observations on the initial report of the United Kingdom of Great Britain and Northern Ireland](#), paragraph 22, p. 5. The

The Commission **recommends** that an awareness raising campaign should incorporate early intervention through inclusion in the school curriculum, programmes targeted at employers and service providers in the public and private sectors, as well as actions aimed at increasing the awareness of disabled people about the rights set out in the UNCRPD. The Commission would be happy to advise and assist the Department in developing actions to address UNCRPD Article 8 requirements.

The Commission **recommends** that these actions complement those already being undertaken by public authorities, in order to fulfil their duties under S75 of the Northern Ireland Act 1998 and Section 49A of the Disability Discrimination Act 1995<sup>29</sup>

The Commission notes commitment (8) is to ‘promote the participation of Deaf and disabled people in public life’. There has been a statutory duty on public authorities, introduced through the Disability Discrimination Order 2006, to take this goal into consideration in carrying out their functions. To elevate it and commit to action to promote participation through the Strategy is welcome.

The Commission **recommends** that public authorities continue to comply with their statutory duties in this regard.

Public appointments data published by The Executive Office (previously the Office of the First Minister and the Deputy First Minister) show that the percentage of disabled people appointed ranges from 1% in 2010/11<sup>30</sup> to 5% in 2019/20, 8% in 2020/21 and 6% in 2021/22<sup>31</sup> (the most recent year for which statistics are available). This compares to 25% of the Northern Ireland population aged 18 years or over with a long-term health problem or disability.<sup>32</sup>

The Commission notes the commitment (9) in the draft strategy to ensure Deaf and disabled people do not lose any rights as a result of the UK’s exit from the European Union. This commitment arises from a legal obligation established through Windsor Framework Article 2 of the UK-

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Committee has recommended, inter alia mass-media strategies and campaigns, with different target audience groups based on the human rights model of disability (see paragraph 23, p. 5).

<sup>29</sup> For further information see: [Public Sector Equality and Disability Duties-Short Guide.pdf](#)

<sup>30</sup> Office of the First Minister and the Deputy First Minister: [The Public Appointments Annual Report 2011/12](#)

<sup>31</sup> The Executive Office (2023): [Public Appointments Report for Northern Ireland: 2019/20; 2020/21; 2021/22](#)

<sup>32</sup> Ibid.

EU Withdrawal Agreement<sup>33</sup>, which pre-dates the strategy and cannot therefore be considered as an additional commitment.<sup>34</sup>

The Commission welcomes the commitment to ensure Deaf and disabled people do not lose any rights as a result of the UK's exit from the EU. We welcome the proposed actions to engage fully and proactively with government, the Equality Commission as part of the Dedicated Mechanism and EU mechanisms to ensure the Executive's position is considered in all negotiations and, in relation to issues within the legislative competence of the Assembly, safeguards or equality of opportunity will not be lost for disabled people.

Windsor Framework Article 2 requires the UK Government to ensure that there is no diminution of the rights, safeguards and equality of opportunities contained in the relevant part of the Belfast (Good Friday) Agreement 1998 as a result of the UK's withdrawal from the EU. In addition, Articles 2 and 13 of the Windsor Framework require the UK Government to keep pace with any future changes the EU may make to amend or replace the six EU equality directives, set out in Annex 1 to the Windsor Framework, including the EU Employment Equality (Framework) Directive which protects against discrimination on the grounds of disability in employment and vocational training.<sup>35 36</sup>

Both the keep pace and non-diminution obligations require that the UK Government and NI Executive adhere to relevant case law of the Court of Justice of the European Union (CJEU) in the application and interpretation of the rights and safeguards in Windsor Framework, particularly as regards the rights underpinned by the Annex 1 equality directives.

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<sup>33</sup> [Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community; Joint Committee Decision No 1-2023.pdf](#); [Joint Declaration by the United Kingdom of Great Britain and Northern Ireland and the European Union in the Withdrawal Agreement Joint Committee on Article 13\(3a\).docx](#)

<sup>34</sup> The Northern Ireland Assembly, nor the Northern Ireland departments, can act in a way that is incompatible with the UK Government's commitment Section 6 (2)(ca) of the Northern Ireland Act 1998 as amended by Schedule 3 to the European Union (Withdrawal Agreement) Act 2020.

<sup>35</sup> Articles 2 and 13 of the Windsor Framework require that NI law keeps pace with any improvements to minimum standards of equality protection enshrined in six EU Equality Directives listed in Annex 1 to the Windsor Framework.

<sup>36</sup> Windsor Framework Annex 1 Directives: Directive 2000/43/EC, 'Council Directive implementing the principle of equal treatment between persons irrespective of racial or ethnic origin', 29 June 2000; Directive 2004/113/EC, 'Council Directive on implementing the principle of equal treatment between men and women in the access to and supply of goods and services', 13 December 2004; Directive 2000/78/EC, 'Council Directive establishing a general framework for equal treatment in employment and occupation', 27 November 2000; and Directive 79/7/EEC, 'EU Council Directive on the progressive implementation of the principle of equal treatment for men and women in matters of social security', 19 December 1978.

In addition, while the EU Charter of Fundamental Rights no longer applies directly in NI, it is relevant as it informs the CJEU case law's interpretation of general principles of EU law, the EU Charter of Fundamental Rights and the relevant EU Treaty provisions<sup>37</sup>.

The Commission notes that no Windsor Framework Article 2 impact assessment has been published with the draft strategy. To ensure that compliance with Windsor Framework Article 2 is fully embedded throughout the strategy, the Commission **recommends** that the Department undertakes and publishes a Windsor Framework Article 2 impact assessment. This assessment should provide detailed consideration of any potential impacts arising under Article 2, including all relevant provisions of EU law. The Executive Office has produced guidance and training on the assessment of Article 2 considerations.

The Commission welcomes the commitment (10) to build the capacity of voluntary and community organisations working on behalf of Deaf and Disabled people.

The Commission **recommends** that, in fulfilling this commitment, the Department acts on the recommendations of the UN CRPD Committee, in its General Comment No.7<sup>38</sup>, that:

'States parties adopt criteria to allocate funds for consultation, including by:

- (a) Providing funds directly to organizations of persons with disabilities, avoiding third-party intermediation;
- (b) Prioritizing resources to organizations of persons with disabilities that focus primarily on advocacy for disability rights;
- (c) Allocating specific funds for organizations of women with disabilities and of children with disabilities to enable their full and effective participation in the process of drafting, developing and implementing laws and policies and in the monitoring framework;

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<sup>37</sup> Article 13(2) and 13(3), Windsor Framework /Protocol to the UK-EU Withdrawal Agreement 2020. See also [Re SPUC Pro-Life Limited \[2022\] NIQB 9](#), at paragraph 93.

<sup>38</sup> UN Committee on the Rights of Persons with Disabilities (2018): [General Comment No.7 on Article 4.3 and 33.3 - the participation of persons with disabilities in the implementation and monitoring of the Convention](#), paragraph 61, pp. 11-12.

- (d) Distributing funds on an equal basis among different organizations of persons with disabilities, including sustainable core institutional funding, instead of being limited to project-based funding;
- (e) Ensuring the autonomy of organizations of persons with disabilities in deciding their advocacy agenda, despite the funding received;
- (f) Distinguishing between funding for the running of organizations of persons with disabilities and the projects carried out by such organizations;
- (g) Making funding available to all organizations of persons with disabilities, including for self-advocate organizations and/or those that have not gained a legal status due to laws that deny the legal capacity of their members and hinder the registration of their organizations;
- (h) Adopting and implementing application processes for funding in accessible formats.

The Commission has previously highlighted<sup>39</sup> the negative impact that the loss of EU funding had on Section 75 equality groups, including Deaf and disabled people following the UK withdrawal from the EU.<sup>40</sup>

Independent research published by the Commission in June 2025 – *Funding for Equality Groups in NI, the impact of the transition from EU Funding to UK Shared Prosperity Fund* - found that pre-Brexit, the level of funding received was, on average, £62.7m per annum<sup>41</sup>. Post Brexit, this budget was reduced by approximately one third of the original allocation. However, a decision was also taken by Government to repurpose £22.6m of this funding for the re-establishment of the Executive. Cumulatively all of these cuts equate to almost a 44% reduction to that previously received.

The new Local Growth Fund, announced in the UK Government's June Spending Review 2025, will come into effect in April 2026<sup>42</sup>.

Organisations applying to the 2026/27 transition fund are facing a 64%

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<sup>39</sup> See: O'Connell, R. and Cunningham, T. (2022): [Impact of Brexit on Section 75 Equality Groups in Northern Ireland: EU Funding](#) (ECNI) and Hepburn, E., Bloss, L. and Jeffery, H. (2025): [Funding for Equality Groups in NI. The impact of the transition from EU Funding to UK Shared Prosperity Fund](#) (ECNI).

<sup>40</sup> See also Equality Commission for [Northern Ireland \(2026\): Response to Disability and Work: A Strategy for Northern Ireland](#)

<sup>41</sup> Hepburn, E., Bloss, L. and Jeffrey, H. (2025): [Funding for Equality Groups in NI. The impact of the transition from EU Funding to UK Shared Prosperity Fund](#) (ECNI).

<sup>42</sup> HM Treasury (June 2025): [Spending Review 2025](#).

reduction on the previous year's allocation, with the total amount available cut to £9.2million, through a decision to reconfigure the fund to a 70% capital and 30% revenue split<sup>43</sup>. These significant reductions will negatively impact Deaf and disabled people and the NI voluntary and community sector organisations which provide support services. Unless mitigation measures are urgently put in place, Deaf and disabled people, together with other equality groups, stand to experience exclusion and deepening inequalities.

And while the Local Growth Fund is administered by UK Government Ministry for Housing, Communities and Local Government, the Commission is concerned that the 'grave situation now facing the Community and Voluntary Sector'<sup>44</sup> could impact on the ability of organisations to 'work effectively together' to ensure success of the strategy - something which the Minister has identified as a requirement for that success in his Ministerial Foreword to the draft Disability Strategy currently under consultation.

The Commission **advises** the need for stable, long-term funding arrangements for community and voluntary organisations, including those that work with Deaf and disabled people. The Commission **recommends** that the Disability Strategy be fully funded. The Commission **recommends** that the Department for Communities, working with the NI Executive and UK Government address, through current and future funding arrangements, the potential negative impacts of the loss of EU funding - including European Social Fund programmes - on equality groups and the voluntary and community sector. The Commission **recommends** that Section 75 considerations are embedded into the processes and procedures of Local Growth Fund and any future funding arrangements, and that equality and good relations considerations are at the heart of government policy making in this area.

The Commission welcomes the commitment (11) to run community led reviews of the needs of women and girls facing additional risk of violence and the barriers to accessing services and make recommendations with the first phase to include deaf and disabled women but recommend that the needs of disabled men who are subject to violence are also considered in the review

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<sup>43</sup> See correspondence from Tonia Antonazzi, Chair, NI Affairs Committee to Secretary of State for Housing, Communities and Local Government, Steve Reed MP and Secretary of State for Northern Ireland, Hilary Benn MP, 21 January 2026.

<sup>44</sup> NI Executive (26 January 2026): [Press Release: Executive Statement on Local Growth Fund](#)

Research (2014) commissioned by ECNI on the implementation of the UNCRPD in NI indicated, in relation to Article 16 (Freedom from exploitation, violence and abuse) that:

‘Policies and programmes to deliver on Article 16 will need to have a clear basis in the particular experiences of violence, exploitation and abuse of disabled people. Generic programmes and policies which ‘include’ people with disabilities, but which are not designed with them explicitly in mind are unlikely to satisfy the UN Committee as being compliant with Article 16.’<sup>45</sup>

The UNCRPD Committee recommends that the UK Government adopt inclusive and targeted measures, including disaggregated data, to prevent multiple and intersectional discrimination of women and girls with disabilities, in particular those with intellectual and/or psychosocial disabilities, in violence and access to justice<sup>46</sup>.

The UNCRPD Committee called on the UK Government to establish measures to ensure equal access to justice and to safeguard persons with disabilities, particularly women, children, intersex people and elderly persons with disabilities from abuse, ill-treatment, sexual violence and/or exploitation; and ensure that all facilities and programmes designed to serve persons with disabilities are effectively monitored by independent authorities<sup>47</sup>.

The Commission **recommends** that the Department for Justice and the Department for Health commission independent research to:

- identify the extent and awareness of domestic violence against disabled people (women and men) in Northern Ireland;
- improve identification and reporting of abuse;
- identify strategies to prevent such violence (including education, training and the development of economic opportunities<sup>48</sup>) and

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<sup>45</sup> Byrne, B. et al (2014): [UNCRPD: Shortfalls in public policy and programme delivery in Northern Ireland relative to the Articles of the UNCRPD](#), p. 100.

<sup>46</sup> Committee on the Rights of Persons with Disabilities (2017): [Concluding Observations on the initial report of the United Kingdom of Great Britain and Northern Ireland](#), CRPD/C/GBR/CO/1, paragraph 19, p. 4.

<sup>47</sup> Ibid, paragraph 39(a), p. 8.

<sup>48</sup> Public Health England (2015): Op. Cit., identify economic empowerment as ‘key to reducing abuse’, p. 15.

consider the needs of disabled people in the implementation of the Northern Ireland Executive's Domestic and Sexual Abuse Strategy;

- identify the need for adaptations and/or development of services to support victims/survivors, in order to ensure accessibility and uptake.

### Progress Indicators

The Commission broadly agrees with the progress indicators set out for Outcome 1<sup>49</sup> but suggests an amendment to the indicator: 'the percentage of disabled people who feel respected', so that it reads: 'the percentage of Deaf and disabled people who feel that their rights under the UN Convention on the Rights of Persons with Disabilities are protected, respected and fulfilled'.

### **Outcome 2: Deaf and disabled people can access our built environment, facilities and transport on an equal basis**

The Equality Commission welcomes the proposed outcome that deaf and disabled people can access our built environment, facilities and transport on an equal basis; this also aligns with the UNCRPD and the Commission's remit for promoting equality of opportunity.

### Commitments

The Commission welcomes the commitment under this outcome (12) to ensure that inclusive design standards are adopted in all new publicly funded spaces and facilities.

We note the conclusion of the Disability Strategy Expert Advisory Panel that 'The availability of accessible and affordable housing for people with a range of disabilities continues to be a significant issue (ranging from suitable supported living accommodation to making adaptations to the home)<sup>50</sup>'.

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These are:

- Life satisfaction of disabled people;
- Percentage of disabled people who feel respected;
- Self-efficacy of disabled people – self-efficacy is a person's belief in their capability to influence events that affect their lives;
- Percentage of disabled people who feel they belong in their neighbourhood or in Northern Ireland;
- Percentage of applicants for public appointments declaring a disability;
- Percentage of successful public appointees declaring a disability.

<sup>50</sup> Department for Communities (2020): [Report of the Disability Strategy Expert Advisory Panel](#), p. 34.

The Panel advise that ‘New build of Lifetime Homes operate updates in inclusive design in the Social Housing Sector and incentivise accessibility adaptation in existing private housing stock’.<sup>51</sup>

The Panel also advises that the relevant Departments ‘Commit to a full review in meaningful partnership with d/Deaf and disabled people and their organisations of all statutory controls that influence the built environment including the public realm and the natural environment and make the necessary amendments to ensure compliance with the CRPD. This review should include both existing and any new developments’ and that Departments ‘Adopt inclusive design standards (BS8300)<sup>52</sup> in its procurement policies’.<sup>53</sup>

The Commission **recommends** the inclusion of specific reference to BS8300 in the final Disability Strategy.

Whilst the Commission welcomes the commitment (13) to continue to work with the Inclusive Mobility Transport Advisory Committee and others to continually improve Deaf and disabled people’s access to transport in both urban and rural settings, it is a continuing commitment which pre-dates the draft Disability Strategy and cannot therefore be considered an additional commitment.

The same applies to commitments 14 and 15. We also welcome the continuation of the Blue Badge Scheme to provide access for Deaf and disabled people to parking and city and town centres (commitment 14).

The commitment (15) that NICS Estates will comply with the new building regulations provisions for Changing Places Toilets also refers to a pre-existing requirement, in local building regulations came into effect on 30 June 2022.<sup>54</sup>

The Commission notes the recent statement from the Finance Minister that ‘Since the Amendment to the building regulations, there has been an

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<sup>51</sup> Ibid, p. 37.

<sup>52</sup> British Standards Institute (2018) BS 8300-1:2018 Design of an Accessible and Inclusive Built Environment. Part 1: External Environment – Code of Practice. British Standards Institute (2018) BS 8300-2:2018 Design of an Accessible and Inclusive Built Environment. Part 2: Buildings – Code of Practice.

<sup>53</sup> Department for Communities (2020): [Report of the Disability Strategy Expert Advisory Panel](#), pp. 75-76.

<sup>54</sup> Department of Finance (9 March 2022): [Changing Places Toilets must be provided in new public buildings – Murphy](#)

almost 100% increase in provision, with 81 local Changing Places toilets now registered with the Changing Places Consortium'.<sup>55</sup>

We welcome the commitment (16) to continue to explore options to make the public realm a more welcoming and accessible place for everyone. We welcome the stated priorities, which are consistent with the Commission's understanding of the issues, such as to work to remove obstacles from our towns and cities, prioritise pedestrians, consider the issues of A-boards on pavements and options on preventing pavement parking. We **recommend** that specific actions are set out in the final Strategy.

The Commission notes the commitment (17) to scope the introduction of an accessibility rating system for businesses, similar to the Food Hygiene Rating "Scores on the Doors". We **recommend** that it is not only scoped but introduced during the lifetime of the strategy.

The Commission welcomes the commitment (18) to involve Deaf and disabled people in the modernisation of the NI Courts and Tribunals estate under Vision 2030. The Modernising the Courts and Tribunals in Northern Ireland statement<sup>56</sup> did not include any specific reference to disability or accessibility.

The Commission **recommends** that the final Disability Strategy includes details on next steps, priorities and actions on this commitment.

### Progress Indicators

The Commission broadly supports the progress indicators proposed for Outcome 2.<sup>57</sup>

## **Outcome 3: Deaf and disabled people can access our public services, government information and communications on an equal basis.**

The Equality Commission welcomes the proposed outcome that Deaf and disabled people can access our public services, government information and communications on an equal basis. It is consistent with

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<sup>55</sup> [Reply to Assembly Question AQO 2904/22-27](#) (12 January 2026).

<sup>56</sup> Courts and Tribunals Service, Lord Chief Justice, Department for Justice (2021): [Modernising the Courts and Tribunals in Northern Ireland](#)

<sup>57</sup> These are:

- Percentage of journeys made by public transport by people with a disability and people without;
- Average number of journeys per year and journey purpose for people with a mobility difficulty.

what is provided for in the Disability Discrimination Act 1995 and other related legislation.

## Commitments

The Commission welcomes the commitment (19) to promote digital inclusion and access to communication and information technologies for Deaf and disabled people of all ages. We **recommend** that the final Disability Strategy includes details on next steps, priorities and SMART actions.

The Commission notes the commitments (20 and 21) to ensure that departmental information and communications are available in easy-to-read formats and alternative accessible formats for Deaf and disabled people who require it; that digital communications will be compliant with Public Sector Bodies Accessibility Regulations.

These are pre-existing responsibilities arising from current legislation and are not new or additional strategy commitments. For example, the requirement under the DDA to make reasonable adjustments, Equality Scheme arrangements for ensuring and assessing public access to information and services provided,<sup>58</sup> and the requirements of the Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018.<sup>59</sup>

The Commission welcomes the commitment (22) to make it easier for Deaf and disabled people to report crime and access the justice system, including the proposal to expand the current 101 telephone service provision and make it more accessible to members of the Deaf community. We **recommend** that the DfC looks at and addresses any gaps in this section from the recommendations of the Disability Strategy Expert Advisory Panel.<sup>60</sup>

The UN Committee on the Rights of Persons with Disabilities has called upon the State Party to ensure that all persons with disabilities are provided with the right and adequate procedural accommodation within the justice system.<sup>61</sup>

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<sup>58</sup> A failure to comply with Equality Scheme commitments can engage the s75 complaints process and potentially an investigation undertaken by the Equality Commission.

<sup>59</sup> [The Public Sector Bodies \(Websites and Mobile Applications\) \(No. 2\) Accessibility Regulations 2018](#)

<sup>60</sup> Department for Communities (2020): [Disability Strategy Expert Advisory Panel -Report and Recommendations](#), p. 99.

<sup>61</sup> Committee on the Rights of Persons with Disabilities (2017): [Concluding observations on the initial report of the United Kingdom of Great Britain and Northern Ireland](#), paragraph 33 (d), p. 7.

We also welcome the designation of officers in the NI Courts and Tribunal Services venues with specific disability responsibilities and publish information online in accessible formats about the reasonable accommodations available, as a direct response to the related recommendation by the Disability Strategy Expert Advisory Panel.<sup>62</sup>

However, while we also welcome the commitment to bring forward strengthened hate crime legislation, which includes disabled people as a protected group, we note that this is a pre-existing commitment dating from 2021.<sup>63</sup>

Likewise, while the Commission acknowledges the commitment to continuing to part-fund the PSNI to deliver the Hate Crime Advocacy Service (including funding for a disability advocate), we are aware that this is also an existing commitment. Furthermore, the draft disability strategy does not indicate whether funding associated with this commitment will increase, remain the same or reduce. It would be helpful if the final Disability Strategy could provide clarity on this matter.

The Commission acknowledges the commitment (23) in the draft Strategy to ensure that Youth Justice Agency buildings and public services are accessible for Deaf and disabled children including those who are neurodivergent.

Whilst the Commission notes that there has been a legal requirement to make buildings accessible for some time<sup>64</sup>, we welcome the additional commitment set out in the consultation document to ensure accessibility for neurodivergent children.

## Progress Indicators

The Commission broadly supports the progress indicators set out for Outcome 3.<sup>65</sup>

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<sup>62</sup> Department for Communities (2020): [Disability Strategy Expert Advisory Panel -Report and Recommendations](#), p.101.

<sup>63</sup> Department of Justice (2021): [Review of Hate Crime Legislation in Northern Ireland – Departmental Response](#)

<sup>64</sup> See, for example: [The Building Regulations \(Northern Ireland\) 2012](#) and [Buildings Regulations \(NI\) 2012: Guidance Technical Booklet R](#) and associated [update booklets](#)

<sup>65</sup> These are:

Locus of control – this explains the degree to which a person feels they have control over their life;  
Usage of online channels to access public services by Deaf and disabled people.

## **Outcome 4: Deaf and disabled people can access and participate in culture, leisure activities and sport on an equal basis with others.**

The Equality Commission broadly welcomes the proposed outcome that Deaf and disabled people can access and participate in culture, leisure activities and sport. There is insufficient detail on specific actions to support or implement any of the commitments under this outcome.

### Commitments

The Commission welcome the commitment (24) to support and promote the careers of Deaf and disabled artists.

Currently, the Arts Council for Northern Ireland fund both directly and indirectly the work of disabled artists through its Support for Individual Artists Programmes (SIAP) and iDA awards programme, administered by the University of Atypical.<sup>66</sup>

It is not clear from the draft Disability Strategy whether funding by DfC to the Arts Council to continue these programmes is envisaged and, if so, whether such funding will be at an increased or reduced level. We would welcome clarification on this matter in the final Disability Strategy.

We welcome the commitment (25) to support and promote the access of Deaf and disabled people to arts, culture and heritage sites and activities.

The Commission welcomes the commitment to (continue to) deliver the Access and Inclusion Programme<sup>67</sup>, originally commenced in 2018, in partnership with district councils and the NI Museum Council.

We acknowledge the commitment (26) to improve Deaf and disabled people's access to and participation in sport through Active Living – the Sport and Physical Activity Strategy for Northern Ireland<sup>68</sup>, originally published in 2022.

The Committee on the Rights of Persons with Disabilities has called upon the State Party to adopt a concrete plan of action, with resources

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<sup>66</sup> [ACNI-Disability-Action-Plan-2019-2024.pdf](#)

<sup>67</sup> [Access and Inclusion Programme launched | Department for Communities](#)

<sup>68</sup> Department for Communities (2022): [Active Living – the Sport and Physical Activity Strategy for Northern Ireland](#)

and measurable objectives, to implement legislation, regulation, and standardisation to ensure that persons with disabilities have access to inclusive participation in all sports facilities and heritage sites.<sup>69</sup>

Research (2022) commissioned by the Equality Commission noted that Deaf and disabled people in NI have the lowest sport participation rates compared with other jurisdictions in the UK and Ireland at 28% compared to Wales which is the highest at 38%.<sup>70</sup>

The research found that comparing participation levels between 2010 and 2020, people with disabilities in Northern Ireland (NI) are still almost half as likely to regularly participate in sport and physical activity as non-disabled people.

The NI Assembly Research and Information Service (RaISe) has identified the following policy considerations:

- 71% of people with disabilities experience exclusion due to access to facilities and equipment;
- the highlighting of 'different kinds of provision' may reinforce negative differences between people with disabilities and non-disabled people;
- a lack of specialist staff who understand the needs of those experiencing disability and can facilitate involvement in activities;
- the cost of participating in sport, for example, sports that require specialist equipment and additional staff support;
- transport availability to sporting venues and competing time constraints of caregivers and helpers;
- segregation between governing and funding bodies e.g. Disability Sport NI and Sport NI;
- a lack of media representation. Coverage tends to be restricted to competitive sports at national and international levels. This

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<sup>69</sup> Committee on the Rights of Persons with Disabilities (2017): [Concluding Observations on the initial report of the United Kingdom of Great Britain and Northern Ireland](#), CRPD/C/GBR/CO/1, paragraph 24, p. 5.

<sup>70</sup> Toman, N. at al (2022): [Progress towards the implementation of the UNCRPD in Northern Ireland](#), p.564 (ECNI).

creates an impression that disability sport is only for those at the elite end of the spectrum.<sup>71</sup>

The UN Committee on the Rights of Persons with Disabilities has expressed concern upon the low level of accessibility to sport stadiums allowing for individual seating for persons with disabilities and their families, friends and personal assistants.<sup>72</sup>

The Committee has **recommended** the adoption of a concrete plan of action with resources and measurable objectives to implement legislation, regulation and standardisation securing persons with disabilities access to inclusive participation and activities to all sports facilities.

The plan should give consideration to investment in specialist staff who understand the needs of Deaf and disabled people alongside capital resources, as recommended by the UN Committee on the Rights of Persons with Disabilities, to ensure that Deaf and disabled people can participate in sport and leisure.<sup>73</sup>

The Commission **recommends** that an updated delivery plan is developed, taking account of the above-mentioned issues, and informed by stakeholders.

The Commission welcomes the commitment (27) to support and promote accessibility through the Heritage, Culture and Creative Programme and its four individual policies – Historic Environment, Museums, Public Libraries and Arts.

## Progress Indicators

The Commission broadly supports the proposed progress indicators set out for Outcome 4.<sup>74</sup>

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<sup>71</sup> RAISE (2021): [Sport and disability in Northern Ireland](#), p.4

<sup>72</sup> UN Committee on the Rights of Persons with Disabilities (2017): [Concluding observations on the initial report of the United Kingdom of Great Britain and Northern Ireland](#), paragraph 62, p. 15.

<sup>73</sup> Ibid, paragraph 63, p. 15.

<sup>74</sup> These are:

- Percentage of disabled people involved in the arts/cultural activities;
- Percentage of disabled people involved in sport and physical activity.

## **Outcome 5: Deaf and disabled people live independently in the community with choice and control and with a sufficient and sustainable standard of living.**

The Equality Commission broadly welcomes the proposed outcome that Deaf and disabled people can live independently in the community with choice and control and with a sufficient and sustainable standard of living. This is consistent with the UNCRPD.

However, we note that in its most recent report (2024) considering the enjoyment by disabled people of the right to independent living in the UK, the UN Committee on the Rights of Persons with Disabilities expressed its concern that:

‘...during the assessment period, there has been no significant progress for disabled people throughout the UK concerning their right to living independently and being included in the community. While some reforms and policies have been undertaken to provide financial support, accessible housing, and transport, this has been inadequate considering the cost-of-living crisis.’<sup>75</sup>

The Committee also noted, with deep concern, that the Personal Independence Payment is not sufficient to cover the extra costs of living with disabilities and that the UK Independent Living Fund has been closed to new applicants since 2010.<sup>76</sup>

Research commissioned by the Equality Commission (2022) highlighted that to date there has been no statutory definition of Independent Living or a coherent strategy through which to promote Independent Living in Northern Ireland.

‘The absence of an integrated strategy for Independent Living combined with little or no co-ordination between services relating to education, childcare, transport, housing, employment and social security programmes undermines policies which if, all working together, would support deaf and disabled people to live independently.’<sup>77</sup>

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<sup>75</sup> United Nations Committee on the Rights of Persons with Disabilities (2024); paragraph 75, p. 11.

<sup>76</sup> United Nations Committee on the Rights of Persons with Disabilities (2024): [Report on follow-up to the inquiry concerning the United Kingdom of Great Britain and Northern Ireland](#), paragraph 76, p. 11.

<sup>77</sup> Toman, N. at al (2022): [Progress towards the implementation of the UNCRPD in Northern Ireland](#), p. 351 (ECNI).

Furthermore, the Commission notes that there is no reference on the draft Strategy to re-opening the Independent Living Fund (ILF) to new applicants<sup>78</sup>, despite recommendations on options for re-opening the fund to new applicants submitted by the Department of Health's ILF Working Group to the Health Minister in 2021/22.

The closure of the ILF in Northern Ireland to new applicants created a two-tier system leaving a whole generation of disabled people at a significant disadvantage<sup>79</sup> and representing a clear retrogression in respect of Article 19 UNCRPD (Independent Living).<sup>80</sup>

Furthermore, the number of recipients decreases each year due to ageing, and declining health conditions requiring nursing based residential settings and mortality.<sup>81</sup>

The Disability Strategy Expert Advisory Panel noted that the closure of the Independent Living Fund from June 2010 to any new applicants has severely limited Deaf and disabled people's choice and control and independence.<sup>82</sup>

## Commitments

The Commission welcomes the commitment (28) to improve the availability of suitable housing for Deaf and disabled people and their families.

Research conducted by Disability Action in 2021 found that 81% (67) of respondents believed that buildings, housing, and transport are inaccessible to Deaf and disabled people.<sup>83</sup>

The research found that the availability of suitable housing for people with a range of disabilities continues to be a significant issue (ranging

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<sup>78</sup> The Independent Living Fund was closed to new applicants in 2010. See: Toman, N. at al (2022): [Progress towards the implementation of the UNCRPD in Northern Ireland](#), p. 361 (ECNI).

<sup>79</sup> Disability Action (1 July 2025): [Calls Grow to Reopen Northern Ireland's Independent Living Fund as Disabled People Denied Equal Right to Independent Living](#)

<sup>80</sup> Toman, N. at al (2022): [Progress towards the implementation of the UNCRPD in Northern Ireland](#), p. 18 (ECNI).

<sup>81</sup> Existing recipients must also contribute part of their Personal Independence Payment (PIP) award towards the cost of personal assistance alongside the ILF award.

<sup>82</sup> Department for Communities (2022): [Disability Strategy Expert Advisory Panel – Report and Recommendations](#), p. 34. The Panel recommended that the Department should adopt any final recommendations from the ILF Work Group including agreed options and terms for reopening the Independent Living Fund to new applicants.

<sup>83</sup> Toman, N. at al (2022): [Progress towards the implementation of the UNCRPD in Northern Ireland](#), p. 10 (ECNI). Participants in the research referred to the negative impacts of unsuitable housing on quality of life, and physical and mental health. They also highlighted challenges in accessing social housing due to the lack of appropriate stock and the challenges in navigating the points system.

from suitable supported living accommodation to being able to make physical changes to our homes).<sup>84</sup>

The Commission notes the lack of targets in the draft Strategy with regard to improving the availability of suitable housing and **recommends** that the final Strategy includes indicative targets and associated timelines.

The Commission notes the commitment to review the Disabled Facilities Grant, to ensure that it effectively meets the needs of those it aims to help. The Commission **recommends** that an indicative time scale for the review is included in the final Disability Strategy.

Research commissioned by the Equality Commission (2022) highlighted calls made to the Communities Minister to increase the Disabled Facilities Grant to take account of the rising costs of construction and materials as a result of Brexit.<sup>85</sup>

The Commission acknowledges the commitment (28) to ensure that the Housing Executive updates the Strategic Needs Assessment for housing support.

The last such review (2020) found that, in respect of disability support:

- Baseline housing support need is 15% higher than supply currently;
- future need is projected to increase with an undersupply of 18 – 32% by 2023, and 20-46% in 2030 if current supply is maintained;
- the needs of individuals are becoming increasingly complex due to mental health needs, changing physical needs and dual diagnosis.<sup>86</sup>

The Commission **recommends** that an updated review outlines focused actions to address the above-mentioned issues.

The Commission welcomes the commitment (29) to ensure that Deaf and disabled people have sufficient income and are treated with dignity

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<sup>84</sup> Ibid, p.350.

<sup>85</sup> Toman, N. at al (2022): [Progress towards the implementation of the UNCRPD in Northern Ireland](#), p. 236 (ECNI).

<sup>86</sup> Business Consultancy Services and Northern Ireland Housing Executive (2020): [Supporting People Strategic Needs Assessment](#), p. 148.

and respect. We note there are no additional actions proposed to realise this.

Research indicates that disabled people are more likely to experience poverty than non-disabled people.<sup>87</sup>

The Joseph Rowntree Foundation have highlighted that: 'Disabled people face a higher risk of poverty and have done so for at least the last 20 years. This is driven partly by the additional costs associated with disability and ill-health, and partly by many disabled people being less able to access work. With potential for work often limited, disabled people and/or families where someone is disabled frequently rely on benefits as a source of income, which at current rates will almost inevitably lead to higher poverty rates'.<sup>88</sup>

Analysis by the disability charity Scope shows that:

- 'For 2024 to 2025, disabled households need on average, an additional £1,095 a month to have the same standard of living as non-disabled households This is 8% higher than our previous Disability Price Tag.
- By 2029 to 2030 financial year the price tag will be £1,224 per month.
- The estimated average shortfall in disabled household income between extra costs and PIP benefit payments is £630.
- For the 2029 to 2030 financial year, this average shortfall is estimated to rise to £704.
- On average, the extra cost of disability is now equivalent to 67% of household income'.<sup>89</sup>

The Trussell Trust has also found that disability was one of the most common factors underpinning hunger in Northern Ireland in 2024. The majority (79%) of people referred to food banks in the Trussell

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<sup>87</sup> Reed, H. and Portes, J. (2019): [Cumulative impact assessment of tax & social security reforms in NI](#), p. 101. See also: [Disability | Joseph Rowntree Foundation](#)

<sup>88</sup> Joseph Rowntree Foundation (2022): [UK Poverty 2022 - The essential guide to understanding poverty in the UK](#), p. 57.

<sup>89</sup> Scope (2025): Veruete-McKay, L., Moss, C. and Davy, C. (2025): [Disability Price Tag – Statistical Summary](#), p. 2 (Scope).

community in Northern Ireland in 2024 were disabled (compared to 34% of people across Northern Ireland).<sup>90</sup>

The Trust has found that the fundamental reason most people are referred to food banks is that their income is too low for them to be able to afford the essentials necessary in life: ‘The most significant driver of this is design and delivery of the social security system which does not provide sufficient income to meet the needs of disabled people’.<sup>91</sup>

In 2016 the UN Committee on the Rights of Persons with Disabilities published a report of an investigation into, inter alia, the enjoyment of the right to an adequate standard of living and social protection by disabled people in the UK. It followed up in 2024. On both occasions it reported failures by the State party to take appropriate measures to protect and uphold the rights of persons with disabilities.

The Committee recommended that government take comprehensive measures to ensure that persons with disabilities are adequately supported through social security payments, benefits and allowances, including by conducting thorough assessments based on the human rights model of disability, and by reviewing the current Universal Credit system, to ascertain the additional costs of living with disabilities and adjusting benefit amounts accordingly to reflect these costs.<sup>92</sup>

The Commission **recommends**, therefore, that the final Strategy sets out additional actions to reduce disability poverty.

The Commission acknowledges the commitment (30) that the Disability Strategy will align with and complement the implementation of the Executive’s Anti-Poverty Strategy.

However, we **recommend** that the final Disability Strategy provides further detail with regards to how this commitment is intended to work in practice.

The Commission welcomes the commitment (31) to take steps to place Deaf and disabled people who are currently institutionalised at the heart of decision making about their future. We welcome the associated

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<sup>90</sup> The Trussell Trust (2025): [Hunger in Northern Ireland](#), p. 12.

<sup>91</sup> The Trussell Trust (2023): [Hunger in the UK](#), p. 14.

<sup>92</sup> United Nations Committee on the Rights of Persons with Disabilities (2024): [Report on follow-up to the inquiry concerning the United Kingdom of Great Britain and Northern Ireland](#), paragraph 90 (f), p. 14.

commitments to ensure appropriate funding and high-quality independent advocacy; and to plan and resource community-based person-centred care to replace closed institutions.

The Commission notes the recommendations of the Disability Strategy Expert Advisory Panel of the need to timetable the closure of all remaining long stay hospitals within Northern Ireland to replicate existing models of good practice and avoid pitfalls of merely transferring 'institutional culture and practice' and to establish clear ring-fenced funding to ensure d/Deaf and disabled people can have the adaptations needed to continue to have choice and control of their lives once deinstitutionalised and moved to community settings

The Commission **recommends** that the final Disability Strategy sets out a timetable for implementation of the steps necessary to ensure that Deaf and disabled people are at the heart of all planning and decision making; and that advocacy services are independent in practice.

With regard to commitment (32) in the draft Strategy, the Commission acknowledges the progression of the Adult Safeguarding Bill as a step towards progressing the rights to freedom from torture or cruel, inhuman or degrading treatment (Article 15) and freedom from exploitation, violence and abuse (Article 16).

We have **recommended** that, to ensure victims can effectively pursue complaints and secure justice, the Bill must address systemic barriers, particularly for disabled people and their carers. Deaf and disabled people often face compounded vulnerabilities, while carers - frequently family members or informal supporters - encounter obstacles in advocating on their behalf.

Robust mechanisms must be implemented to make complaint processes accessible and navigable. Deaf and disabled people, including those with sensory, cognitive, or mobility impairments, frequently encounter barriers such as inaccessible reporting formats.

The Commission **recommends** that independent advocacy services must be funded and integrated into the justice pathway. The Bill should require statutory funding for independent advocates trained in disability rights, ensuring they are available from the initial complaint stage through to court proceedings. This would mitigate power imbalances,

where victims fear reprisals from care providers, such as service withdrawal or intimidation.<sup>93</sup>

The Commission **recommends** that the action plan associated with the Ending Violence Against Women and Girls Strategy identifies and timetables specific additional actions required to address violence against Deaf and disabled women.

The Commission welcomes the commitment (33) to support Deaf and disabled people to negotiate life transitions with dignity and choice.

The Disability Strategy Expert Advisory Panel has recommended the establishment of a clear, joined up transitions pathway for all young Deaf and disabled people from school with appropriate support for young people and their families/carers alongside collection of consistent good quality data on educational outcomes, transitions and quality of educational experiences.<sup>94</sup>

The Panel stressed the need to coordinate legislation, policy and programmes across relevant sectors, and ensure fully informed decisions by children with disabilities on their personal choice in the transition, by involving them in the design of services and by providing advice and information on available option.<sup>95</sup>

The Commission notes the lack of detail in the draft Strategy as to how this commitment will be realised and **recommends** that the final Strategy set out key priority actions and indicative timelines for implementation.

The Commission welcomes the commitment (34) in the draft Strategy to produce guidance on 'Inclusive Design' to encourage an improvement in housing standards for people with cognitive and sensory impairments

The Commission **recommends** that the final Strategy includes an indicative date for publication of the Guide and that arrangements are put in place to collect data to enable monitoring of outcomes following publication.

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<sup>93</sup> Equality Commission for Northern Ireland (2025): [Response to Adult Protection Bill – Call for Evidence](#)

<sup>94</sup> Department for Communities (2020): [Disability Strategy Expert Advisory Panel – Report and Recommendations](#), p. 93.

<sup>95</sup> Department for Communities (2020): [Disability Strategy Expert Advisory Panel – Report and Recommendations](#), p. 114.

## Progress Indicators

The Commission broadly supports the progress indicators proposed for Outcome 5<sup>96</sup> but proposes the addition of a further indicator: ‘the percentage of foodbank users who are disabled people’.

## **Outcome 6: Deaf and disabled people have access to quality health and social care on an equal basis and without discrimination.**

The Equality Commission welcomes the outcome that Deaf and disabled people will have access to health and social care on an equal basis and without discrimination. This is a right enshrined in our anti-discrimination legislation.

## Commitments

The Commission welcomes the commitment (35) to ensure that short breaks are provided to a level that is reflective of assessed needs, while also expanding a range of supports for Deaf and disabled people and their families/carers.

A survey undertaken by Autism NI of carers found that:

- over half of carers, 54%, wanted more respite;
- fewer than 3% of respondents said that services had improved, while more than two thirds responded that they had got worse or stayed the same;
- 88% felt there was not enough support for parents and carers of autistic people from social services.<sup>97</sup>

Autism NI called for measures to be taken that ensure that carers of autistic children and adults receive the respite they need, when they need it, invest and expand the range of respite services in Northern Ireland for carers of autistic people.

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<sup>96</sup> These are:

- Percentage of households containing disabled people spending 30% or more of their household income on housing costs;
- Satisfaction with their house or flat of households containing a disabled member;
- Relative poverty of disabled people.

<sup>97</sup> Autism NI and National Autistic Society Northern Ireland (2016): [Broken Promises](#), p. 20

The Disability Strategy Expert Advisory Panel recommended that a Short Breaks policy be agreed between the Department of Health, health agencies and children with disabilities and their families. This should not be restricted to overnight stays; include breaks that are fun, developmental, work for Deaf and disabled children and their families; and are available on an equitable basis across Northern Ireland.<sup>98</sup>

The Commission notes the lack of detail of key priority actions and associated timelines in the draft Strategy to underpin this commitment and **recommends** that these are included in the final Strategy.

The Commission notes the commitment to continue to involve Deaf and disabled people in health and social care policy and service design provision, via the Department of Health's Regional Health and Social Care Disability Forum.

The Commission acknowledges the commitment (37) to introduce a digital care record for every patient in Northern Ireland, noting that the Encompass system went live in all HSC Trusts last year.<sup>99</sup>

We have advised that this system includes the means to disaggregate data by Section 75 category.<sup>100</sup>

We acknowledge the commitment (38) to ensure ongoing training in Disability and Equality Issues for public facing Health and Social Care staff and review of the training on a continual basis.

However, we note that these are commitments that predate the Strategy, as they are also actions to implement both Equality Scheme and Disability Action Plan commitments.

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<sup>98</sup> Department for Communities (2020): [Disability Strategy Expert Advisory Panel – Report and Recommendations](#), p. 115.

<sup>99</sup> Department of Health (8 May 2025) [A new era in Northern Ireland's health service as all Trusts 'Go-Live' on encompass](#)

<sup>100</sup> [S75 of the Northern Ireland Act 1998](#) requires designated public authorities (including all the health bodies) to have due regard to the need to promote equality of opportunity between: between persons of different religious belief; political opinion; racial group; age, marital status or sexual orientation; between men and women generally; between persons with a disability and persons without; and between persons with dependants and persons without.

An effective monitoring system will enhance a public authority's capacity to perform its section 75 duties efficiently and effectively, enabling it to make better decisions about what actions would best improve equality of opportunity, as well as meeting the broader strategic aims of organisational development and improvement e.g. demonstrating that general services are accessible to all sections in the community or developing aspects of services to better meet the needs of specific users [see: Equality Commission for Northern Ireland (2007: [Section 75 of the Northern Ireland Act 1998 – Monitoring Guidance for use by Public Authorities](#), p. iii].

The Commission acknowledges the commitment (39) to clarify pathways to clinical support for Deaf and disabled people.

However, we note the lack of detail concerning priorities, supporting actions and timelines and **recommend** that these are identified in the final Disability Strategy.

The Commission welcomes the commitment (40) to review the direct payments process to ensure people are able to access appropriate day care services.

The drive to adopt personalisation in Northern Ireland emanated from the Transforming Your Care (TYC) programme, which proposed broad support for increased individual control over budgets across health and social care reform.<sup>101</sup>

However, research (2022) commissioned by the Equality Commission found that:

‘There is an absence of information regarding the extent to which the needs of d/Deaf and disabled people with substantive needs and who are not in receipt of the Independent Living Fund payments are met by Self-Directed Support (SDS) and Direct Payment Provisions’

‘Direct Payments do not fund many of the activities funded by the Independent Living Fund as the emphasis is upon addressing social care needs rather than promoting independence meaning that those in receipt have access to less support and have less control’.<sup>102</sup>

Phased implementation of Self-Directed Support (SDS), promoted as a means through which individuals can gain greater control over how their own social care needs are met<sup>103</sup>, commenced across the five health and social care trusts in Northern Ireland in 2015.

However, concerns about the level of budget, limited brokerage support and the administrative burden associated with SDS are attributed to low

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<sup>101</sup> Department of Health (2011): [Transforming Your Care](#)

<sup>102</sup> Toman, N. et al (2022): [Progress towards the implementation of the UNCRPD in Northern Ireland](#), p.363 (ECNI).

<sup>103</sup> Those who access SDS are allocated a personal budget by their local health and social care trust to support their assessed need for social care.

uptake of the scheme. Numbers in receipt of SDS are rising incrementally but remain low.<sup>104</sup>

The Disability Strategy Expert Advisory Panel has recommended that:

- Personal assistants are recognised as distinct from carers in adult social care, and available to all d/Deaf and disabled people especially marginalised groups including people with learning disabilities and people who have experience of mental health services
- The use of self-directed support and direct payments is facilitated and promoted, including through accessible information, to ensure all d/Deaf and disabled people can access and use these options.<sup>105</sup>

Given the above, we **recommend** that the commitment in the finalised Strategy, or terms for the review, ensure these points are taken into account.

The Commission welcomes the commitment (41) to explore greater use of social prescribing to improve the physical and mental health of disabled people.

However, we note the lack of detail concerning priorities, supporting actions and timelines and **recommend** that these are identified in the final Disability Strategy.

### Progress Indicators

The Commission broadly supports the proposed indicator for Outcome 6.<sup>106</sup>

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<sup>104</sup> Toman, N. et al (2022): [Progress towards the implementation of the UNCRPD in Northern Ireland](#), p. 366 (ECNI).

<sup>105</sup> Department for Communities (2020): [Disability Strategy Expert Advisory Panel – Report and Recommendations](#), p. 38.

<sup>106</sup> This is: Satisfaction with Health and Social Care.

## Outcome 7: Deaf and disabled people can access, sustain and progress within quality employment in an inclusive labour market

The Commission broadly welcomes the proposed outcome that Deaf and disabled people can access, sustain and progress within quality employment in an inclusive labour market.

The aspiration for this outcome is commendable, but the outcome could be better aligned to the rights-based terminology and language of non-discrimination and equality of opportunity. It could also be framed in a different way.

The Commission **recommends** that the Strategic outcome is a reduction in the disability employment gap.

Whilst the Commission agrees with the identification of a range of sub-outcomes, each of which will require appropriate interventions, we **recommend** that the actions required to deliver on each of these sub-outcomes are identified and that specific targets are set for each.

### Commitments

The Equality Commission welcomes the commitment (42) to implement a new Disability and Work Strategy in meaningful partnership with Deaf and disabled people.

The Commission has prioritised actions to address the persistently low rates of employment for Deaf and disabled people in Northern Ireland in its most recent two corporate plans and responded to the consultation on the draft Strategy earlier this year<sup>107</sup>

The Commission considers that it is essential to recognise, from the outset, that to enable disabled people to secure and sustain high-quality employment they must have the confidence that they have access to a comprehensive range of tailored support. This should include pre-employment training, job opportunities as well as vocational education, employment assistance, positive action initiatives, and work placements. All of which is allowed for in the equality laws.

We have **recommended** that the scope of this Strategy is aligned with the Executive's Disability and Work Strategy 2025 – 2035, ensuring that

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<sup>107</sup> Equality Commission NI (2026): [Response to DfC consultation on Disability and Work Strategy](#)

any wider barriers such as accessible transport to work are identified and addressed.

The Commission has also **recommended** that either strategy **must** include actions to address the barriers encountered by people covered by the Strategy, who are trying to access work, stay in work and progress to better quality jobs.

We note the overarching outcome of the Disability and Work Strategy is to have an additional 50,000 disabled people in the workforce by March 2036, and a disability employment rate of 50%.

However, we have advised that while this may be a desirable outcome, on its own, it may be a misleading metric. For instance, the number of disabled people in work could increase due to a rise in the working-age population, an increase in employment or an increase in the prevalence and reporting of disability, without necessarily improving the relative disadvantage experienced by disabled people compared to their non-disabled counterparts.

The Commission has raised issues relating to the negative impact of the loss of EU funding on Deaf and disabled people at Outcome 1 of the current consultation above, and in our submission to the draft Disability and Work consultation<sup>108</sup>.

The Commission acknowledges the commitment (43) to ensure opportunities for lifelong learning are maximised.

However, it is not clear what additional actions in support of this commitment are envisaged. We **recommend** that the final Disability Strategy sets out key priorities, supporting actions and timelines.

The Commission welcomes the commitment (44) to support Deaf and disabled children and young people in their skills, education and careers journey and the associated commitment to deliver a new Careers Portal that includes the rights of SEN pupils.

We **recommend** that the final Disability Strategy sets out key priorities, supporting actions and timelines.

The Commission welcomes the commitment (45) that the NI Civil Service (NICS) will deliver, through implementation of its People

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<sup>108</sup> Equality Commission for Northern Ireland (2026): [Response to Disability and Work: A Strategy for Northern Ireland](#)

Strategy 2025-2030, initiatives to support and increase the employment and inclusion of Deaf and disabled people in the workforce.

The Commission welcomes that this Strategy confirms that the NICS will implement a ring-fencing scheme for disabled applicants.

In our response to the Department's consultation on the Disability and Work Strategy<sup>109</sup> we **recommended** that further detail is provided on the ring-fencing scheme, in terms of the number and type of jobs it will apply to. We also asked for an approximate timeframe for implementation of the measure.

We also **recommend** that targets are set for increasing the employment of disabled people in the NICS, as recommended by the Disability Strategy Expert Advisory Panel<sup>110 111</sup>

We further **recommend** that actions are incorporated for government departments to influence and advocate for improved disability employability across the public sector. This should include a range of positive action measures e.g. job trials, prevocational training, guaranteed interviews (with job description reviews) and the setting of employment targets.

The Commission acknowledges the commitment (46) to fully implement the Executive's Social Value Procurement Policy, agreed in 2024.<sup>112</sup>

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<sup>109</sup> Equality Commission for Northern Ireland (2026): [Response to Disability and Work: A Strategy for Northern Ireland](#)

<sup>110</sup> The NICS has 5.5% representation of persons with disabilities in its workforce compared to 10% in the GB Civil Service and 9.5% in the US Civil Service. This means that people with disabilities are represented 44% less in the NICS than the average representations of disabled people in the civil services of GB and the US. (Source: Olsen J. (2018): [Employment in Northern Ireland's Civil Service: Social Barriers and Hyperbole Mean Disabled Need Not Apply](#) in International Journal of Disability Management, Volume 13, e2, pp. 1–14.). The Commission notes the 2024 data referenced in the draft Disability Strategy (at pp. 43-44%) which discloses that 6.1% of NICS staff declared a disability compared to 15.8% of the British Civil Service.

In the Republic of Ireland, the Disability Act 2005 sets out a minimum statutory target for the employment of disabled people across the public sector of 3%. Under the Assisted Decision-Making (Capacity) (Amendment) Act 2022, the minimum statutory target increased to 4.5% in 2024 and to 6% in January 2025 (Source: [National Human Rights Strategy for Disabled People 2025-2030](#), paragraph 4.5, p. 28).

<sup>111</sup> Department for Communities (2020): [Disability Strategy Expert Advisory Panel – Report and Recommendations](#), p. 87.

<sup>112</sup> From February 2025, services and works tenders must allocate a minimum of 10% of the total award criteria to score social value. This 10% minimum score for social value applies to contracts for works above the UK Procurement Threshold and contracts for services above £500,000 (inclusive of VAT).

We welcome that DfC will offer support to Executive departments as they develop Social Value Strategies, seeking to maximise employment opportunities for Deaf and disabled people.

### Progress Indicators

The Commission broadly supports the proposed indicators for Outcome 7<sup>113</sup>. We **recommend** the addition of an indicator: 'Percentage decrease in the disability employment gap'.

### **Outcome 8: Deaf and disabled children and young people can exercise their rights and reach their full educational, social and developmental potential.**

The Equality Commission broadly welcomes the proposed outcome that Deaf and disabled children and young people can exercise their rights and reach their full educational, social and developmental potential.

### Commitments

The Commission welcomes the commitment (47) to advise that the rights of Deaf and disabled children and young people will be respected, protected and promoted by all Departments.

We note that there is an absence of detail on how this will be achieved. We **recommend** that further detail of supporting measures such as training or monitoring arrangements together with targets and timelines, is provided in the final Disability Strategy.

The Commission welcomes the commitment (48) to advise that all departments will engage with Deaf and disabled children and young people in developing policy and legislation which impacts on their lives and the associated action to include Deaf and disabled young people in the monitoring of the Strategy through the Regional Disability Forum.

The Commission **recommends** that further detail of how the Department will facilitate their participation is set out in the final Strategy. In doing so, the Department may wish to take into account the Commission's

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<sup>113</sup> These are:

- Rate of Disability Employment;
- Disability Employment Rate by Age Group;
- Disability Employment rate by Gender;
- Disability Pay Gap;
- Rate of underemployment for disabled people;
- Rate of self-employment for disabled people;
- Percentage of disabled people who are economically inactive.

guidance for public authorities on consulting and involving children and young people.<sup>114</sup>

The Commission welcomes the commitment (49) to develop and implement an Executive Childcare Strategy which takes account of the needs of Deaf and disabled children and their families.

In our policy positions on Childcare, we have:

- urged prompt action to ensure appropriate, accessible and affordable childcare and early-years provision to meet the diverse needs of parents, carers, and children from across the range of equality categories;
- highlighted that delivering improvements to childcare and early learning has the potential to advance equality of opportunity for parents - particularly mothers, carers and children - including those with a disability;
- emphasised recognition of the importance to those who may benefit from access to childcare services into their teenage years – including for older children with disabilities or those with Special Educational Needs.

We **recommend** that further detail of key priorities in respect to Deaf and disabled children, supporting measures such as training or monitoring arrangements together with targets and timelines, is provided in the final Disability Strategy.

The Commission notes the commitment (50) to monitor the implementation of the Executive's Autism Strategy 2023-2028.

The requirement to monitor the Autism Strategy is an existing one, under Section 2 (6) of the Autism Act 2011<sup>115</sup>, and cannot therefore be considered as an additional action.

The Commission welcomes the commitment (51) to support Deaf and disabled children, young people and their families throughout childhood, in particular at key life transitions, through the Special Educational Needs Reform Agenda and Delivery Plan and its Transitional Support Programme.

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<sup>114</sup> Equality Commission NI (2008): [Let's Talk, Let's Listen](#)

<sup>115</sup> [Autism Act \(Northern Ireland\) 2011, Section 2 \(6\)](#)

The Commission has highlighted that children with SEN face a range of barriers and challenges:

- There are persistent challenges in identifying specific needs and supports (assessment and statementing);
- There are also challenges in ensuring children are enrolled in a suitable school in a timely manner, and in communicating with families;
- Once in school, children with SEN experience higher levels of bullying and stereotyping.
- There is also a lack of support when moving between schools and into adult life;
- Children with SEN and disabilities have weaker legal protections and access to remedies, should they need specialist equipment, or if they experience discrimination;
- Schools often not sufficiently supported or resourced to respond effectively to the specific and complex needs of children.
- Children with SEN, according to the Department of Education's own analysis, have been negatively impacted by budget cuts to dedicated school support staff and to the SEN Transformation Budget.<sup>116</sup>

The Commission welcomes the commitment (52) to ensure that Deaf and disabled children are visible, included and can participate fully in education through delivery of a new Special Educational Needs Framework.

The Commission considers that high quality early-years and education, including SEN provision, is known to play a key role in children's development, including for children from particular equality groups.

We believe that it is essential that children with Special Educational Needs (SEN) have access to a high-quality educational experience. SEN provision must advance equality of opportunity for children and young people, and their families, across the full range of equality categories.

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<sup>116</sup> See: [ECNI - Special Educational Needs](#)

The Commission has consistently highlighted concerns regarding education for children with SEN, including delays in securing a school place and the importance of children with disabilities and special educational needs having access to a full range of educational facilities and opportunities.

To progress equality for Deaf and disabled children and young people, including those with SEN, and their families, the Commission **recommends** that action is required across 5 overarching areas:

- Ensure timely access to high-quality education;
- Reform the law to enhance protections and remedies;
- Limit and control the use of Restrictive Practices in Schools;
- Fund and monitor a targeted action plan to ensure key inequalities are tackled;
- Ensure collaboration to deliver better outcomes and services.

Further details, including underpinning rationales, are available via our SEN Policy Position.<sup>117</sup>

The Commission welcomes the commitment (53) to provide legal remedy for disability discrimination in education.

We **recommend** that schools should be required by law to provide special equipment and services for disabled pupils, and there should be stronger protections against discrimination and harassment in schools.<sup>118</sup>

We also **recommend** that consideration should be given to empowering the Special Educational Needs and Disability Tribunal (SENDIST) to award compensation if a disabled child experiences discrimination.<sup>119</sup>

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<sup>117</sup> Equality Commission NI (2024): [Advancing Equality for Children with Special Educational Needs](#)

<sup>118</sup> For further details see: Equality Commission NI (2024): [Advancing Equality for Children with Special Educational Needs](#), Section 5 pp. 19-22; Equality Commission NI (2012): [Strengthening Protection for Disabled People – Proposals for Reform](#), pp. 13-15.

<sup>119</sup> The Independent Mechanism for [NI Jurisdictional report](#) to the UN Committee on the Rights of Persons with Disabilities on implementation of the UNCRPD in Northern Ireland (2017) (p.8) stated: “In Northern Ireland, discrimination cases in the provision of school education which do not involve disability are dealt with in the County Court; which is empowered to award all remedies available in the High Court, including damages for any loss and compensation for injury to feelings. However, disability cases go to the Special Educational Needs Tribunal (SENDIST), which is not empowered to make compensation for discrimination or harassment. This means that there can be situations where one child could be harassed because of race and one because of disability and the first child can seek compensation, whilst the second child cannot”. See: paragraphs 18-20 and 54 of the [Race Relations](#)

The Commission **recommend** the final Disability Strategy commits to act on the Commission's **recommendations** in this matter and provide associated timelines.

The Commission welcomes the commitment (54) to promote and support a pathway to Sign Language Qualifications which may lead to qualification and registration as interpreters, translators and teachers to contribute to the delivery of the intent of the Sign Language Legislation and Sign Language Framework objectives.

We have drawn attention to the shortage of qualified BSL and ISL Sign Language Interpreters in Northern Ireland.<sup>120</sup>

The UN Committee on the Rights of Persons with Disabilities has also noted with concern 'the insufficient resources for education, training and availability of and access to high-quality educated sign language interpreters, especially in relation to education, employment, health and leisure activities', recommending legislation that 'provides for the right to educated high-quality sign language interpretation and other forms of alternative communication in all spheres of life for deaf persons and hard of hearing persons in line with the Convention'.<sup>121</sup>

In our response to the consultation on the Sign Language Framework<sup>122</sup>, we **recommended**, inter alia, that:

- the final Framework should include the explicit identification of governance and delivery mechanisms to enable a joined up approach to implementation across Departments, to be brought to the Northern Ireland Executive for approval;
- the Northern Ireland Executive allocate adequate resources to enable the effective implementation of the Framework.

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([Northern Ireland Order](#)) 1997 and paragraph 22 (4) of the [Special Educational Needs and Disability Order 2005](#).

<sup>120</sup> Independent Mechanism for Northern Ireland (2017): [UNCRPD: Jurisdictional 'Parallel' Report on Implementation in Northern Ireland](#), p. 47.

<sup>121</sup> UN Committee on the Rights of Persons with Disabilities (2017): [Concluding observations on the initial report of the United Kingdom of Great Britain and Northern Ireland](#), paragraphs 46 (b) and 47 (b), p. 10.

<sup>122</sup> Equality Commission for Northern Ireland (2016): [Response by the Equality Commission for Northern Ireland to the Consultation by the Department of Culture, Arts and Leisure \(DCAL\) on a Sign Language Framework](#), p.1.

We also welcomed the inclusion of an objective to provide a sustainable supply of Sign Language Teachers, Sign Language Interpreters and Translators.

The Commission considers that the realisation of this objective would be congruent to securing CRPD rights under Article 24, Education<sup>123</sup>, Article 21, Freedom of expression and opinion, and access to information<sup>124</sup>; and Article 9, Accessibility.<sup>125</sup>

In evidence on the draft Sign Language Bill to the Assembly Communities Committee in 2024, we **recommended** that the Bill and / or associated statutory guidance provide clarity in relation to establishing an adequate and dedicated budget to support interpreter training and service provision.

The Commission welcomes the commitment (55) in the draft Strategy to increase the range of residential and community-based short breaks for Deaf and disabled children.

The Commission notes that this reflects the recommendation by the Disability Strategy Expert Advisory Panel that a Short Breaks policy is agreed between the Department of Health, health agencies and children with disabilities and their families.<sup>126</sup>

The Commission **recommends** that the final Strategy sets out next steps, including setting targets against base line for the existing level of provision and against estimated overall need, and outlining monitoring arrangements over the duration of the Strategy.

The Commission welcomes the commitment (56) in the draft Strategy to provide a range of extracurricular activities for Deaf and disabled children and young people.

However, we **recommend** that further detail of the baseline for access to existing provisions is provided in the final Strategy. Along with targets for increasing access and proposals for monitoring access for Deaf and disabled children and young people.

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<sup>123</sup> 1 (a-c); 2 (a), (c-e); 3 (b); 4; 5.

<sup>124</sup> (b) and (e).

<sup>125</sup> (e).

<sup>126</sup> Department for Communities (2020): [Disability Strategy Expert Advisory Panel – Report and Recommendations](#), p. 115. The Panel further advises that this should not be restricted to overnight stays but include breaks that are fun, developmental, work for d/Deaf and disabled children and their families and are available on an equitable basis across Northern Ireland.

The Commission welcomes the commitment (57) in the draft Strategy that initial teaching training and continuous professional development for the education workforce will provide them with the skills and knowledge to build supportive learning environments for children and young people with special educational needs and/ or a disability.

The Commission has **recommended** that equality and good relations issues should be mainstreamed into initial teacher education (ITE) and continuous professional development (CPD). In light of the diversity of life experiences and educational needs within the Northern Ireland student population, we consider it essential that all teachers are equipped to ensure students' particular requirements are understood and met.<sup>127</sup>

The Independent Review of SEN Services and Processes noted that 'a large proportion of teachers were trained more than 20 years ago when the SEN-specific training in the teacher training courses was very different to the presentation of needs within the classroom of today. Over time teachers have been required to acquire skills and expertise by experience. The onus has been forced on teachers without specific support or training in this area'.<sup>128</sup>

The Review also found that the approach to gaining knowledge and expertise relating to SEN has been piecemeal and individual efforts to gain understanding and knowledge. Based on this, there is clearly a need to provide teachers with greater access to training and support in relation to SEN presentations in the classroom.<sup>129</sup>

The Review recommended, inter alia, that:

- DE and DfE should collaborate and jointly engage with the Higher Education Institutions to ensure that there is sufficient coverage of SEN in teacher training to allow Newly Qualified Teachers to respond to SEN in the classroom;
- DE should engage with EA to ensure that all current teachers have access to good quality, evidence-based resources and CPD opportunities in relation to SEN. Teachers and CAs should actively participate in SEN training and schools should be

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<sup>127</sup> Equality Commission for Northern Ireland (2024): [Advancing Equality for Children with Special Educational Needs](#), paragraph 6.10, p. 25.

<sup>128</sup> Ipsos Mori (2023): [Independent Review of Special Educational Needs Services and Processes](#), pp. 157-158.

<sup>129</sup> Ibid.

provided with resources to allow them to participate. Consideration should be given within schools for teacher and CAs training within their directed time budget.

The Commission notes that the SEN Reform Agenda Delivery Plan 2025-2030 sets out a number of related objectives:

- Define & implementation of the minimum SEN/Inclusion subject content requirements for Initial Teacher Education courses (both PGCE and B.Ed);
- Define & implementation of Early Professional Development (EPD) training for Newly Qualified Teachers (NQT) offer to facilitate regular training in relation to SEN, disabilities and broader inclusive practice;
- Design & implementation of a Professional Learning Programme for teaching staff;
- Design & implementation of a Leadership Programme for SEN Learning Support Coordinators/ SENCOs;
- Design & implementation of a Resource Portal for Teachers;
- Design & implementation of a universal SEN Training Programme targeted at all front-line staff.<sup>130</sup>

We **recommend** that the final Disability Strategy sets out further detail on the baseline for existing continuous professional development. Along with monitoring arrangements that reflect there may be regional disparities in access. The final Strategy should also indicate how progress will be reported to the Regional Disability Forum.

The Commission welcomes the commitment (58) in the draft Strategy to improve access to skills, training, apprenticeships and further and higher education opportunities for Deaf and disabled people and people with health conditions.

However, we **recommend** that further detail of the current baselines on access to these. Along with targets for increasing access and proposals for monitoring, is provided in the final Disability Strategy.

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<sup>130</sup> Department of Education (2025): [SEN Reform Agenda Delivery Plan 2025-2030](#), p. 13.

We acknowledge the commitment that Department for the Economy (DfE) will continue to offer a range of practical, financial and other support for Deaf and disabled people and for people with health conditions. We note it will be across the further and higher education sectors, as well as to those participating on vocational training programmes, to enable them to build the skills and qualifications needed to compete for employment opportunities at all levels.

The Commission notes that this commitment doesn't confirm whether the existing level of supports will continue or whether it is likely to decrease as a result of budget constraints. We would therefore welcome further clarification on this matter in the final Disability Strategy.

### Progress Indicators

The Commission supports the proposed progress indicators for Outcome 8.<sup>131</sup>

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<sup>131</sup> These are:

- School leavers with a disability achieving Level 2 qualifications;
- Enrolments at Higher Education Institutions and Further Education Colleges by disabled young people;
- Indicators associated with the implementation of the Department of Health led Autism Strategy 2023-2028.

## Annex 1

### Concluding observations of the UN Committee on the Rights of Persons with Disabilities 2017<sup>132</sup>

In its concluding observations on the initial report of the United Kingdom of Great Britain and Northern Ireland, the Committee highlighted, inter alia:

- the insufficient incorporation and uneven implementation of the Convention across all policy areas and levels within all regions and devolved governments;
- the lack of mechanisms to ensure effective participation of all organisations of persons with disabilities, in decision-making processes concerning policies and legislation in all areas of the Convention;
- the anti-discrimination legislation does not provide comprehensive and appropriate protection, particularly against multiple and intersectional discrimination;
- that persons with disabilities living in Northern Ireland are not adequately protected against direct and indirect disability-based discrimination and against discrimination by association;
- that the rights of women and girls with disabilities have not been systematically mainstreamed into both the gender equality and disability agenda and there is a lack of measures and available data concerning the impact of multiple and intersectional discrimination of women and girls with disabilities;
- the lack of policy framework addressing poverty of families with children with disabilities and a failure to incorporate the human rights model of disability in public policies and legislation concerning children and young persons with disabilities;
- persisting occurring incidents of negative attitudes, stereotypes and prejudice against persons with disabilities, in particular

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<sup>132</sup> For further details, see: [Concluding observations on the initial report of the United Kingdom of Great Britain and Northern Ireland](#)

towards persons with intellectual and/or psychosocial disabilities and persons with neurological and cognitive conditions;

- the lack of obligatory and implemented accessible standards relating to, among others, the physical environment, affordable housing, ICT, transport, and information;
- the absence of comprehensive policies related to disaster risk reduction that include persons with disabilities in the planning, implementation and monitoring processes of disaster risk reduction;
- low awareness among the judiciary and law enforcement officials concerning human rights of persons with disabilities;
- the continued use of physical, mechanical and chemical restraint that affects persons with psychosocial disabilities, in prisons, the youth justice system, healthcare and education settings, as well as practices of segregation and seclusion;
- the permissible use of electro-convulsive therapy, particularly in Northern Ireland;
- policies and measures that affect the ability to live independently in the community, such as the lowering of social protection schemes related to housing, household income and budgets for independent living, as well as the closure of the Independent Living Fund;
- lack of support services and accessible public facilities, including personal assistance, for persons with disabilities, to live independently and be included in the community;
- insufficient resources for education, training and availability of and access to high-quality educated sign language interpreters, especially in relation to education, employment, health and leisure activities;
- the education system is not geared to respond to the requirements for high-quality inclusive education;
- systemic, physical, attitudinal and/or communicative barriers preventing persons with disabilities from accessing mainstream health services including: inaccessible furnishing, training and treatment equipment, medicine and supplies, means of

information and communication, limited access to clinics and healthcare professionals, hospitals, dentists, gynaecologists and obstetricians;

- the suicide rate among persons with disabilities, its higher prevalence, in particular in Northern Ireland;
- the persistent employment gap and pay gap for work of equal value of persons with disabilities unemployed especially women with disabilities, psychosocial and/or intellectual disabilities as well as persons with visual impairments;
- insufficient measures of affirmative actions and provision of reasonable accommodation improving the possibility of employment for persons with disabilities on the open labour market;
- higher levels of poverty among persons with disabilities and their families, in particular among families with children with disabilities;
- the negative impact on the standard of living of persons with disabilities, as a consequence of, among others, the reduction in social support, unemployment allowance, independent payment/budget, the Universal Credit and the insufficient compensation for disability-related costs;
- the tightening of eligibility criteria and local differences to social protection and support during the transition from Disability Living Allowance to the Personal Independence Payment (PIP) within the State party that has reduced the standard of living for persons with disabilities and their families;
- the lack of unified data collection system and indicators across all devolved governments, concerning the situation of persons with disabilities;
- the lack of resources available for the effective and comprehensive monitoring conducted by the independent monitoring framework established in accordance with article 33 (2) of the Convention, which hinder the support to organisations of

persons with disabilities to participate in the monitoring process.<sup>133</sup>

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<sup>133</sup> UN Committee on the Rights of Persons with Disabilities (2017): [Concluding observations on the initial report of the United Kingdom of Great Britain and Northern Ireland.](#)

## Annex 2

### Remit of the Equality Commission for Northern Ireland

The Equality Commission for Northern Ireland ('the Commission') is an independent public body established under the Northern Ireland Act 1998.

In general terms, our statutory remit provides that we are to:

- promote equality of opportunity and affirmative action
- work towards the elimination of unlawful discrimination and harassment
- keep relevant legislation under review
- promote good relations between persons of different racial groups and good disability practice
- overseeing the statutory equality duties on public authorities.

The Commission's remit also includes overseeing the statutory duties on public authorities to promote equality of opportunity and good relations under Section 75 of the Northern Ireland Act 1998, and the disability duties under the Disability Discrimination Act 1995.

The Equality Commission has been designated to act as an 'independent mechanism' jointly with the Northern Ireland Human Rights Commission (NIHRC), to promote awareness of, and monitor the implementation of the United Nations Convention on the Rights of Persons with Disabilities with regard to Government's obligations in relation to Northern Ireland.

Together with the Equality and Human Rights Commission (GB) and Scottish Human Rights Commission we form the United Kingdom's Independent Mechanism (UKIM).

Further, since 2021, the Commission, along with the NIHRC, is mandated in accordance with Article 2(1) of the Windsor Framework (formerly Protocol on Ireland/Northern Ireland) of the UK-EU Withdrawal Agreement to oversee the UK Government's commitment on rights and equality in Northern Ireland (NI) after EU withdrawal<sup>134 135</sup>.

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<sup>134</sup> Schedule 3 of the European Union (Withdrawal Agreement) Act 2020 amended the Northern Ireland Act 1998 to confer these additional powers on the Commission – to monitor, advise, report on and enforce the UK's adherence to its commitment.

<sup>135</sup> Section 78E, Northern Ireland Act 1998. The EU (Withdrawal Agreement) Act 2020 amended the Northern Ireland Act 1998 to empower the ECNI with functions to monitor, advise, report on, promote, and enforce the implementation of Windsor Framework Article 2 (Sections 78A-78E, Northern Ireland Act 1998). These new powers took effect from 1 January 2021.